

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

HIRANO et al.

Application No.: 10/784,986

Filing Date: February 25, 2004

For: NOVEL LYSINE  
DECARBOXYLASE GENE AND  
METHOD FOR PRODUCING L-  
LYSINE

Art Unit: 1652

Examiner: Gebreyesus, Kagnew H.

Attorney Ref. No.: US-109

Confirmation No.: 1388

**AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.116**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated February 16, 2006, which set a 3-month shortened statutory period for response thereto, please amend the above-captioned patent application as follows. Applicants assert that the following amendments place the claims in condition for allowance in that no new claims are presented, 2 claims are cancelled removing an outstanding rejection, the amendments directly address the Examiner's remaining rejection, and no new issues must be considered by the Examiner by the presentation of these amendments. Therefore, the amendments should be entered. In the absence of a Notice of Allowance, the amendment simplifies the issues for appeal, and therefore, they should be entered.

Amendments begin on page 2.

Remarks begin on page 6.